

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Trent M. Molter et al.)
) Group Art Unit: 1746
 Serial No.: 09/965,679)
)
 Filed: September 27, 2001) Examiner: M. Wills
)
 For: APPARATUS AND METHOD FOR)
 MAINTAINING COMPRESSION OF THE)
 ACTIVE AREA IN AN)
 ELECTROCHEMICAL CELL)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION under 37 C.F.R. §1.78

Pursuant to the 37 C.F.R. §1.78(a)(3), Applicants hereby petition for acceptance of the unintentionally delayed benefit of a claim for priority to U.S. Patent No. 6,365,032 B1 which was filed October 7, 1999, and which issued April 2, 2002. The present application was filed September 27, 2001, and hence was copending with U.S. Patent No. 6,365,032 B1.

Included herewith are:

- (i) an amendment to the above identified application pursuant to 37 C.F.R. §1.78(a)(2);
- (ii) the surcharge set forth in §1.17(t); and
- (iii) a statement that the entire delay is unintentional between (a) the date the claim was due under 37 C.F.R. §1.78(a)(2)(ii) and (b) the date the claim is filed.

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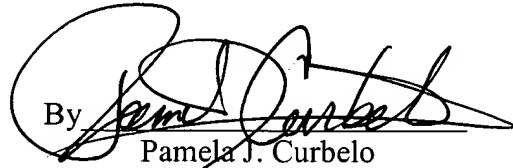
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If there are any additional charges with respect to this Petition, the Amendment, the Statement, or otherwise, please charge them to Deposit Account No. 06-1130.

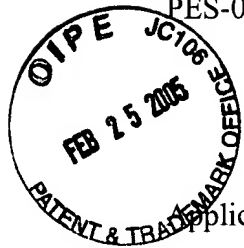
Respectfully submitted,

CANTOR COLBURN LLP

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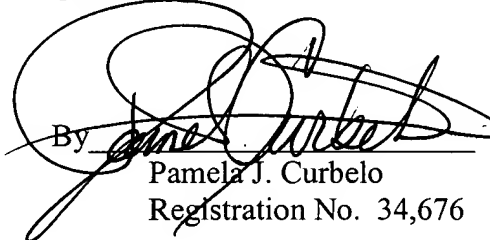
Statement pursuant to 37 C.F.R. §1.78(a)(3)

The entire delay between the date of filing of a claim for priority to U.S. Patent No. 6,365,032 B1, pursuant to 37 C.F.R. §1.78(a)(2)(ii) was due and the date of actually filing of this claim was unintentional.

If there are any additional charges with respect to this Statement or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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